# RAJYA SABHA

*Monday, the 30th March, 1992/10 Chaitra, 1914 (Saka)*

The House met at eleven of the clock, Mr. Chairman in the chair.

## OBITUARY REFERENCE

MR. CHAIRMAN: Hon'ble Members, before we take up today's agenda, I refer with profound sorrow to the passing away of Col. Bashir Husain Zaidi, a former member of the Rajya Sabha, on the 29th March, 1992, at the age of 94 years.

Born in July 1898 in Delhi, Col. Zaidi had his education at Delhi and Cambridge University and was called to the Bar from the Lincoln's Inn, in 1923. He was president of several colleges in Uttar Pradesh. He represented India at the International Students' Conference in Holland and Czechoslovakia during the years 1921-22. He also attended the Third Round Table Conference in London. After being a Minister in the erstwhile Rampur State, he served as Chief Minister of that State from 1937 to 1949. He also served as Vice-Chancellor of the Aligarh Muslim University in 1956 and was Director of the Reserve Bank of India from 1958 to 1963. He was Chairman of the Board of Directors, Associated Journals Limited, publishing three dailies—'National Herald', 'Navjivan' and 'Qaumi Avaz'.

Col. Zaidi was a Member of the Constituent Assembly from 1947 to 1949 and of the Provisional Parliament from 1949 to 1951. He was a Member of the Lok Sabha from 1952 to 1957 and was Member of this House representing the State of Uttar Pradesh from 1963 to 1970. Col. Zaidi was recipient of Padma Vibhushan in 1976. In the passing away of Col. Zaidi, we have lost an educationist of repute, journalist of eminence and an able administrator and parliamentarian.

We deeply mourn the passing away of Col. Bashir Husain Zaidi.

I request Members to rise in their places and observe silence as a mark of respect to the memory of the departed.

*(Hon. Members then stood in silence for one minute)*

MR. CHAIRMAN: Secretary-General will convey to the Members of the bereaved family our deep sense of sorrow and sympathy.

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## ORAL ANSWERS TO QUESTIONS

### राजनीतिक दलों को मान्यता देने के लिए कसौटी

*421. **श्री शंकर दयाल सिंह:** क्या विधि, न्याय और कम्पनी कार्य मंत्री यह बताने की कृपा करेंगे कि:

(क) राष्ट्रीय स्तर पर किसी राजनीतिक दल को मान्यता देने की क्या कसौटी है;

(ख) किस-किस दल को वर्तमान में राष्ट्रीय स्तर पर मान्यता प्राप्त है और उन्हें क्या सुविधाएं उपलब्ध हैं; और

(ग) क्या किन्हीं दलों को हाल में मान्यता दी गई है; यदि हां, तो उनके नाम क्या हैं?

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RANGARAJAN KUMARAMANGALAM): (a) The criteria for recognition of a political party are laid down in paras 6 and 7 of the Election Symbols (Reservation and Allotment) Order, 1968.

(b) At present the following parties are recognised at the national level:—

1. Bharatiya Janata Party.
2. Communist Party of India.
3. Communist Party of India (Marxist).
4. Indian National Congress.
5. Janata Dal and
6. Janata Party.

The recognised national parties are entitled to:—

(i) Allotment of a reserved symbol for use in all constituencies in the country.

(ii) Supply of two copies of electoral rolls free of charge.

(iii) Facilities for broadcast and telecast over All India Radio and Doordarshan.

(c) No, Sir.

**श्री शंकर दयाल सिंह**: सभापति जी, राजनीति के बारे में आज प्रश्न अधिक उत्पन्न हो रहे हैं, उत्तर कम। मैं समझता हूं राजनीतिक दलों की भी स्थिति यही है। सभी प्रश्न के घेरे में हैं। मैंने जो सवाल सरकार से पूछा है, जानना चाहा है, उसका उद्देश्य यह है कि मैं चाहता हूं कि सरकार इस पर कुछ विशेष गंभीरता से विचार करे। इसीलिए चुनाव आयोग इसका सही मायने में नियंत्रण करता है और माननीय मंत्री जी ने भी अभी कहा है कि क्या-क्या सुविधाएं उन्हें मिलती हैं। उसके आधार पर मैं सरकार के सामने यह प्रश्न रखना चाहता हूं कि अभी-अभी चुनाव आयोग ने हाई कोर्टों को जनप्रतिनिधि अधिनियम के तहत ली गई शपथ का उल्लंघन करने वाले राजनीतिक दलों का पंजीकरण खत्म करने का अधिकार देने की सिफारिश की है। साथ ही अधिनियम की धारा 29 (ए) (5) के तहत राजनीतिक दलों को संविधान और समाजवाद, धर्मनिरपेक्षता और लोकतंत्र के प्रति आस्था और जुड़ाव और देश की एकता, संप्रभुता और अखण्डता बनाए रखने की जो शपथ लेनी होती है, सरकार को भी आयोग की यह सिफारिश मिली होगी, मैं माननीय मंत्री जी से यह जानना चाहता हूं कि इसी बात को ध्यान में रखते हुए क्या वे चुनाव संबंधी जो कानून हैं उनमें सुधार लाने का सरकार विचार रखती है? साथ ही साथ मैं यह भी जानना चाहूंगा कि जो राजनीतिक दल इस तरह की मान्यताओं या विधान का उल्लंघन कर रहे हैं, उनके बारे में भी क्या सरकार गम्भीरता से विचार करने जा रही है?

SHRI RANGARAJAN KUMARAMANGALAM: Sir, firstly I would like to inform the hon. Member, through you, that the Government has decided to have a meeting with the leaders of all political parties in Parliament, to discuss in depth the various recommendations that have come to us from the Election Commission, the meeting of the Presiding Officers as well as the meeting of the leaders of political parties in Lok Sabha, and it is at this meeting that we would take a decision on the basis of consensus exactly how and what would be the electoral reforms we could bring in the full gamut and the amendments accordingly.

**श्री शंकर दयाल सिंह**: सभापति जी, मुझे खुशी है कि मंत्री महोदय ने सकारात्मक उत्तर दिया है कि सरकार भी इस बात पर गंभीरता से विचार कर रही है। मुझे जो लिखित उत्तर मिला है उसमें यह है कि अभी 6 ऐसी पार्टियां हैं जिनको राष्ट्रीय स्तर पर मान्यता प्राप्त है।

**श्री सभापति**: उन्होंने पढ़ कर अभी सुनाया है।

**श्री शंकर दयाल सिंह**: उसमें यह है कि इण्डियन नेशनल कांग्रेस को मान्यता प्राप्त है। हम जानते हैं कि यह ऐतिहासिक संस्था है। एक तो मैं यह जानना चाहता हूं कि यह इण्डियन नेशनल कांग्रेस को मान्यता प्राप्त है या यह कांग्रेस (आई) को मान्यता है। क्योंकि हम लोगों को जो कुछ भी देखने सुनने में आता है वह इण्डियन नेशनल कांग्रेस के नाम की कोई पार्टी अभी एग्ज़िस्ट नहीं कर रही है। कांग्रेस आई या इण्डियन नेशनल कांग्रेस (आई) नाम की संस्था एग्ज़िस्ट करती है। दूसरी बात मैं यह जानना चाहता हूं कि इस समय देश में क्षेत्रीय दलों की बाढ़ आ गई है और क्षेत्रीय दल भी राष्ट्रीय दलों से कभी-कभी महत्वपूर्ण हो जाते हैं। पिछले दिनों तेलुगु देशम्, क्षेत्रीय दल होते हुए भी सब से बड़ी पार्टी पार्लियामेंट में थी और उसको विरोधी दल के रूप में हम लोग लेते थे। इन बातों को ध्यान में रखते हुए मैं सरकार से दो बातें जानना चाहूंगा। पहली बात तो यह है कि आप जो बैठक सभी दलों के नेताओं की आयोजित करने जा रहे हैं क्या आप उसमें क्षेत्रीय दलों के प्रतिनिधियों को भी बुलाने जा रहे हैं? दूसरी बात यह है कि क्षेत्रीय दलों की जो इतनी बड़ी आज बाढ़ आ रही है, इसको रोकने के लिए कम से कम उम्मीदवार चुनाव के समय किसी पार्टी विशेष के रूप में आ सकें, इस संबंध में आप क्या कार्यवाही करने जा रहे हैं?

SHRI RANGARAJAN KUMARAMANGALAM: Sir, firstly, if I may inform the hon. Member, through you, the Indian National Congress is the recognised party. By usage, some people may be calling the party 'Congress (I)'. This is because, there was a time, in the history of the party, when this name was used, for identification. But under the electoral law, it is the Indian National Congress, the original Congress, which is, today, the party, which is the ruling party in the country. If I may also submit, the other faction, the Indian National Congrress (Socialist)—Sharat Chandra Sinha—was recognised up to a certain period. But today, it is not eligible for recognition as a national party. Therefore, so far as the name, 'Indian National Congress', goes, or the name

'Indian National Congress (Socialist)' goes, there is only one party, that is, the Indian National Congress, which is the recognised political party.

In regard to the Telugu Desam party in the Lok Sabha, the hon. Speaker has given them separate seats, recognised them as a separate group. Under the rules, under the law, namely, the Representation of People Act, they can take appropriate steps. On the question of split, under para 15, they can always...

SHRI SHANKAR DAYAL SINGH: I have not raised the question regarding the split in the Telugu Desam party. I only wanted to know regarding regional parties.

SHRI RANGARAJAN KUMARAMANGALAM: I am coming to that. You had referred to it. If you had not referred to it, I would not have...

SHRI MENTAY PADMANABHAM: The Minister is involved in the split in the Telugu Desam party. Therefore, let him say something about it.

MR. CHAIRMAN: Let us not discuss Telugu Desam at this time.

SHRI RANGARAJAN KUMARAMANGALAM: Mr. Chairman, Sir, I cannot help Mr. Padmanabham. I do not know whether you have sons-in-law or not. We know the background. I do not want to say more than that. *(Interruptions)* But I must say this categorically. I was not responsible. Some sons-in-law were. That Mr. Padmanabham knows. Sir, if I may go on further. I would like to submit that in regard to the Telugu Desam party, it is for the Election Commission to take appropriate steps, under the law. The Election Commission would consider it.

SHRI MENTAY PADMANABHAM: The question was not in regard to the split in the Telugu Desam party. The question was in regard to the recognition of regional parties, what are the problems and all that. Let the hon. Minister confine himself to the question asked.

MR. CHAIRMAN: The question is, are you thinking of inviting regional parties also to this conference? That is all.

SHRI RANGARAJAN KUMARAMANGALAM: Mr. Chairman, Sir, if he had restricted himself to the question, I would have also restricted my answer to the question. *(Interruptions)*

MR. CHAIRMAN: He came up with so much preface. *(Interruptions)* Now, the question is very simple. He wants to know whether, to this conference, you are going to invite regional parties also.

SHRI RANGARAJAN KUMARAMANGALAM: If he had not come up with any preface, I would not have also done so. Now, in regard to his question, all the recognised political parties which are represented in Parliament would definitely be called

SHRI SHANKAR DAYAL SINGH: National and regional, both?

SHRI RANGARAJAN KUMARAMANGALAM: Both national and regional parties. Some of them are not represented in both Houses of Parliament. Definitely, Government would invite their representatives also because all the recognised political parties must be involved in the process of such a major electoral reform which is being proposed by all the parties concerned.

MR. CHAIRMAN: Shrimati Chandrika Abhinandan Jain.

**श्री सन्तोष बागड़ोदिया**: सबकी तरफ से इनका अभिनन्दन है।

SHRIMATI CHANDRIKA ABHINANDAN JAIN: Mr Chairman, Sir, though the question relates to the criteria for recognition of political parties at the national level, I would like to know, what are the criteria for derognition of political parties at the national level I would like to give my own example. I was in the Shiv Sena. Very recently, I joined the Congress (I), along with two MPs from the Lok Sabha. It is like a home-coming for me. I was in the Congress earlier. I have now come back to my party. My question is, what is the status of Shiv Sena at the national level? Will it be recognised as a national party? What will be the status of Shiv Sena? This one instance I can give.

SHRI RANGARAJAN KUMARAMANGALAM: I would like to clarify that the Shiv Sena is not a recognised party at the national level and the hon. Member was very welcome back home, as she mentioned.

**श्री अश्विनी कुमार:** माननीय सभापति महोदय, मैं आपके माध्यम से मंत्री महोदय से यह जानना चाहूंगा कि जब दो वर्ष पूर्व संविधान में संशोधन कर के, नियमों में संशोधन कर के, सब राजनीतिक दलों को फिर से पंजीकृत रजिस्ट्रेशन कराने का प्रस्ताव लाया गया था, उसमें नेशनल इंटीग्रिटी और सेकुलर शब्द जोड़े गए थे, उसके बाद कितने दल हैं जिन्होंने कि अपना रजिस्ट्रेशन कराया है और (ख) उन दलों में से कितने दल हैं और कौन-कौन से हैं जिन्होंने कि अपने-अपने संविधान में ये दोनों शब्द जोड़े हैं या नहीं जोड़े हैं और जिन्होंने ये शब्द नहीं जोड़े हैं, उनके रिकॉग्रीशन के बारे में क्या स्थिति है?

SHRI RANGARAJAN KUMARAMANGALAM: Sir, I would have to say that I do not have these details exactly, which are the parties...

MR. CHAIRMAN: He has put a specific, pointed question.

SHRI RANGARAJAN KUMARAMANGALAM: I must say that the question is very specific and pointed, but it is going back to a particular date, referring to...

MR. CHAIRMAN: There was a provision for registering. How many parties are there which you have registered? Among those registered parties, which of the parties have got this provision in their constitution?

SHRI ASHWANI KUMAR: About all the parties, up to date?

SHRI RANGARAJAN KUMARAMANGALAM: All the parties that are registered have followed section 29(a). *(Interruptions)*. There are 6 parties at the national level and...

SHRI SHANKAR DAYAL SINGH: You are also the Parliamentary Affairs Minister. You have said earlier...

SHRI RANGARAJAN KUMARAMANGALAM: If I may submit the issue of registration of political parties is under section 29(a) of the R.P. Act and if the hon. Member wants State-wise list of the parties recognised, I can give it to him.

MR. CHAIRMAN: The rule was that they must have certain provision in their constitution for registration. He wants to know, which of the parties that are registered, have abided by this?

SHRI RANGARAJAN KUMARAMANGALAM: All the parties which are recognised have abided by that. Otherwise, they cannot be recognised.

**श्री अश्विनी कुमार:** सभापति महोदय, मुझे थोड़ा सा समय दीजिए क्योंकि मेरी यह जानकारी है कि बहुत से दल रजिस्टर हुए हैं जिन्होंने कि संविधान में यह संशोधन नहीं किया है। जो सेकुलरिज्म और इंटिग्रिटी को नहीं मान रहे हैं। इसलिए मैंने यह प्रश्न पूछा है और मैं इसका विवरण चाहता हूं और इस बारे में दूसरा स्पष्टीकरण चाहूंगा कि अपने देश में एक पार्टी है जिसका प्रतिनिधित्व कहीं लोकसभा/संसद में नहीं है, अकाली दल जैसे एक पार्टी है, उसने ये दोनों बातें मानी है और उसका रजिस्ट्रेशन हुआ है क्या?

SHRI RANGARAJAN KUMARAMANGALAM: Sir, with regard to Akali Dal, there are three parties. The one is Shiromani Akali Dal (Smiranjit Singh Mann). They have the symbol 'lion'. The other, is Shiromani Akali Dal, simple without any name. They have 'scale' as their symbol. And the third party, Shiromani Akali Dal, (Badal) has got arrow and bow as its symbol. All the three parties have adhered to section 29(a) which is being referred to by the hon. Member.

SHRI N.K.P. SALVE: The hon. Minister has enumerated various facilities which have been made available to the parties at the national level. One important facility, which is available but not enumerated, is immunity for enquiry into source of donations for purposes of taxation. If the donation is less than Rs. 10,000, there is a total immunity to the party from this enquiry.

Now, the primacy of money power has come about in the Indian polity and it is distorting election. Is there any thinking or what is the reaction of the Government to put an end to this primacy of money power in the elections? The second aspect of this is very important. It is a subject matter of very great abuse. Political parties, which have regional or communal aspirations are all making hay. May I know whether they would consider modifying this facility of immunity from enquiry into the source of funds of the parties, to put an end to primacy of money power in the Indian politics?

SHRI RANGARAJAN KUMARAMANGALAM: I would like to make it clear that this is one of the important issues that will be discussed in the all party meeting where electoral reforms will be discussed.

**Visit of the PLO Chief**

*422. SHRI MURLIDHAR CHANDRAKANT BHANDARE: Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether the PLO Chief Mr. Yasser Arafat paid an official visit to New Delhi in January this year;

(b) if so, what specific issues relating to peace in West Asia were discussed with him; and

(c) the outcome thereof?

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI EDUARDO FALEIRO): (a) Yes, Sir.

(b) and (c) The ongoing West Asian peace process was among the topics discussed during the visit. India's continued commitment to the Palestinian cause and keenness to contribute effectively to promoting Palestinian intersts in the peace process were reiterated. President Arafat expressed appreciation for India's consistent support and stressed the importance of Indo-PLO relations. He favoured Indian participation in the multilateral phase of the West Asian peace talks in view of its close and friendly relations with all Arab countries.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: Sir, India has been the leader in championing many causes, anti-apartheid, the occupied Palestinian territory, to usher in peace in this globe. With the end of the cold war, the world has entered into a new phase, and we find that the Palestinian problem is now sought to be solved through negotiations. India has to play an effective role, and I don't think it can play an effective role unless it has a minimum of confidence of both the parties. Mr. Arafat has been a very great friend of our country. There is no question, therefore, of letting down the cause or the friendship. May I, therefore, ask of the hon. Minister whether he is prepared to give us a definite assurance that at no cost will we dilute our stand towards the Palestinian problem so far as the rights of the PLO are concerned?

*[] Transliteration in Arabic Script.

SHRI EDUARDO FALEIRO: Sir, I suppose what the hon. Member would like me to reiterate here in this House is that the cause of the Palestinian people who we have been committed now for decades, continues to be dear to us and that our commitment is absolute and total to that cause. Surely it is.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: The second supplementary is this. Will this task not be now facilitated by the fact that we have given recognition to Israel and established diplomatic relations between us and Israel with the tacit approval of Mr. Arafat himself?

SHRI EDUARDO FALEIRO: Yes, Sir, it will be facilitated.

**मौलाना ओबैदुल्ला खान आज़मी**: चेयरमैन साहब, मैं सरकार से यह जानना चाहूंगा कि वैस्ट एशिया के मसले के हल के लिए क्या सरकार ने किसी इसाइली डेलीगेशन से हाल ही में दिल्ली में कोई बात की है? अगर हां, तो उसकी तफसील क्या है और क्या सरकार ने इसाइली डेलेगेशन को यह यकीन दिलाया है कि वह इसाइल के फायदे की बात करेगी, अगर हिन्दुस्तान को इस मसले के हल के लिए बातचीत में शामिल किया जाए? अगर हां, तो उसकी कया वजूहात हैं? क्या यह भी सही है कि मौजूदा सरकार ने मुल्क के अन्दर और मुल्क के बाहर माइनेरिटी दुश्मन और अरब दुश्मन ताकतों के साथ सांठ-गांठ शुरू कर दी है? अगर कर दी है तो इसकी तफसील क्या है और इसकी वजूहात क्या हैं?

مولانا عبید اللہ خان اعظمی: چیرمین صاحب - میں سرکار سے یہ جاننا چاہوں گا کہ ویسٹ ایشیا کے مسئلے کے حل کے لئے کیا سرکار نے کسی اسرائیلی ڈیلیگیشن سے حال ہی میں دلی میں کوئی بات کی ہے - اگر ہاں تو اسکی تفصیل کیا ہے اور کیا سرکار نے اسرائیلی ڈیلیگیشن کو یہ یقین دلایا ہے کہ وہ اسرائیل کے فائدے کی بات کریگی - اگر ہندوستان کو اس مسئلے کے حل کے لئے بات چیت میں شامل کیا جائے - اگر ہاں تو اسکی کیا وجوہات ہے - کیا یہ بھی صحیح ہے کہ موجودہ سرکار نے ملک کے اندر اور ملک کے باہر مائناری دشمن عرب دشمن طاقتوں کے ساتھ سانٹھ گانٹھ شروع کردی ہے - اگر کردی ہے تو اسکی تفصیل کیا ہے اور اسکی وجوہات کیا ہے -

SHRI EDUARDO FALEIRO: Well, Sir, obviously, the sort of insinuation, observation the hon. Member has made is totally devoid of any connection with truth. We are, as I have said earlier, committed to the Palestinian cause as we